

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK****DOE,****Plaintiff,****-against-****JACKSON, et al.,****Defendants.****23-cv-04910 (ALC)****ORDER****ANDREW L. CARTER, United States District Judge:**

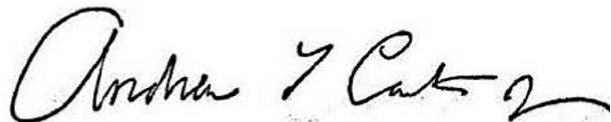
Defendants filed their initial Motion to Dismiss on February 15, 2024. ECF No. 50. Plaintiff then filed an Amended Complaint as a matter of right pursuant to Fed. R. Civ. P. 15 concurrently with a memorandum of law in opposition to Defendants' motion to dismiss. ECF No. 52, 53. Following a conference with the Parties, the Court granted Defendants leave to file an amended Motion to Dismiss. ECF No. 58.

Because Plaintiff has filed an Amended Complaint to which Defendants have filed a novel motion to dismiss which this Court shall consider, Defendants' initial motion to dismiss at ECF No. 50 is **DENIED** as moot. *Roller Bearing Co. of Am., Inc. v. Am. Software, Inc.*, 570 F. Supp. 2d 376, 384 (D. Conn. 2008) ("[A]n amended complaint filed 'as a matter of course' pursuant to Rule 15(a) renders moot a motion to dismiss directed at the original complaint.") (citing *Chodos v. F.B.I.*, 559 F. Supp. 69, 70 n.2 (S.D.N.Y. 1982), aff'd, 697 F.2d 289 (2d Cir. 1982)).

The Clerk of the Court is respectfully directed to terminate the motion at ECF No. 50.

SO ORDERED.

Dated: August 5, 2024
New York, New York



ANDREW L. CARTER, JR.
United States District Judge